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July 9, 2021

**VIA E-MAIL: [elizabeth\\_potter@nysd.uscourts.gov](mailto:elizabeth_potter@nysd.uscourts.gov)  
and ECF**

MEMORANDUM ENDORSEMENT

Magistrate Judge Hon. Kevin N. Fox  
United States District Magistrate Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

**Re: Ronald S. Herbst v. NYU Hospitals Center, both individually  
and d/b/a Langone Medical Center and d/b/a NYU Hospital  
For Joint Diseases and Nirmal C. Tejwani, M.D.  
United States District Court, SDNY  
File No. 15-CV-3518 (GBD)**

Dear Hon. Judge Fox:

We represent the defendants in the above referenced matter, which is currently scheduled for a settlement conference before Your Honor on July 14, 2021, at 10:30 a.m. We have spoken with plaintiff's counsel, and we would jointly request an adjournment of next week's settlement conference to have additional time to confer with clients/principals. In discussing the matter with plaintiff's counsel, alternative dates on which the parties could be available would include: August 2, 3 (after 2:00 p.m.), 5 (after 2:00 p.m.), 6, 9, 10 & 12.

This is the parties' first request for an adjournment of the settlement conference, and plaintiff's counsel is aware that this request is being transmitted to the Court.

Thank you for your consideration of the above.

Respectfully submitted,

McAloon & Friedman, P.C.  
By: Matthew L. Prisco, Esq.

*Matthew L. Prisco*

cc: (Via E-Mail and ECF)  
Halperin & Halperin, P.C.  
Attorneys for Plaintiff

7/12/21

The settlement conference is adjourned to September 9, 2021, at 10:30 a.m. The Court is unavailable to convene the conference in August 2021.

SO ORDERED:

*Kevin Nathaniel Fox*

Kevin Nathaniel Fox, U.S.M.J.